

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

WESTERN BULK CARRIERS KS

Plaintiff,

-against-

A.P. OXIDOS INDUSTRIA
E COMERCIO LTDA

Defendant.

USDC SDNY
DOCUMENT
ELECTRONICALLY FILED
DOC #:
DATE FILED: 05-05-08

08 Civ. 00984 (MGC)

**ORDER FOR ISSUANCE OF
PROCESS OF
MARITIME ATTACHMENT
AND GARNISHMENT**

UPON reading the Second Amended Verified Complaint for issuance of Process of Maritime Attachment and Garnishment pursuant to Rule B of the Supplemental Rules for Certain Admiralty and Maritime Claims of the Federal Rules of Civil Procedure ("Supplemental Rule B"), and the declarations and papers submitted in support thereof, and the Court finding that the conditions for an action under Supplemental Rule B appear to exist, it is hereby:

ORDERED that the Clerk shall issue Process of Attachment and Garnishment pursuant to Supplemental Rule B as prayed for in the Verified Complaint in the amount of \$^{1,241,147.76}~~1,241,147.76~~ against all goods, chattel, credits, letters of credit, bills of lading, debts, effects and monies, funds, credits, wire transfers, accounts, letters of credit, electronic fund transfers, freights, sub-freights, charter hire, sub-charter hire, or any other tangible or intangible property belonging to, claimed by, being held for or on behalf of, or being transferred from, ^{A.P. Oxidos Industria E}~~to or for the benefit of A.P. Oxidos Industria e~~ Comercio Ltda. ("Defendant") by any garnishee within this District, including among other things, funds or accounts or transfers in the name of the Defendant with the following financial institutions:

1. Bank of America, N.A.
2. Bank of New York-Mellon

3. Citibank, N.A.
4. Deutsche Bank Trust Company Americas
5. HSBC Bank USA, N.A.
6. JP Morgan Chase Bank, N.A.
7. UBS AG
8. Wachovia Bank, N.A.
9. Societe Generale
10. Standard Chartered Bank
11. BNP Paribas
12. Calyon Investment Bank
13. American Express Bank
14. CommerzBank
15. ABN Ambro
16. Bank Leumi USA
17. Fortis Financial Groups
18. Banco Popular
19. Bank of China
20. Bank of Tokyo-Mitsubishi UFJ Ltd.;

and it is further

ORDERED that this Order will be equally applicable to any other garnishees upon whom a copy of the Process of Maritime Attachment and Garnishment herein may be served, in an amount

up to and including ~~\$436,166.76~~ ^{\$119,217.76}, pursuant to Supplemental Rule B; and it is further

ORDERED that any person claiming an interest in the property attached or garnished pursuant to this Order and the Process of Maritime Attachment and Garnishment shall, upon application to the Court, be entitled to a prompt hearing at which Plaintiff shall be required to show why the attachment and garnishment should not be vacated or other relief granted; and it is further

ORDERED that supplemental process enforcing this Court's Order may be issued by the Clerk upon application without further Order of the Court; and it is further

ORDERED that following initial service upon any garnishee by the United States Marshal or any other person designated or authorized by Order to make service in this action, subsequent or supplemental service of Process of Maritime Attachment and Garnishment may thereafter be made

by the way of facsimile transmission or other verifiable electronic means, including e-mail, to each garnishee so personally served; and it is further

ORDERED that service on any garnishee herein is deemed to be effective and continuous service throughout the remainder of the day upon which such service is made commencing from the time of such service through the opening of garnishee's business the next business day; and it is further

ORDERED that a copy of this Order be attached to and served with the said Process of Maritime Attachment and Garnishment; and it is further *Ordered that in receipt of all communications via facsimile or electronic mail, the original document is the authentic document, and not the original to be destroyed pursuant to this Order.*
Dated: New York, New York
April 30, 2008

SO ORDERED

Miriam Goldman Schoberman
U. S. D. J. 1~